

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ROBERT F. URBANO,
Plaintiff,

vs

Civil Action No. 05SP01651

05-11480 MLW

AQUA INVESTMENTS LLC
& IT'S PRINCIPALS,
Defendants.

MOTION FOR A MORE DEFINITE STATEMENT

1. Pursuant to Mass. Rules Civil P. 12(e) In order to properly reply to Defendants' Answer and Counterclaims plaintiff hereby moves Defendants for more definite statements as follows:
2. Defendants deny (see Answer Par. 1) violating lead paint notification state and federal law pursuant to 42 U.S.C. 4852 (d)(1) by not notifying Plaintiff of the possibility of lead paint in the rental unit prior to occupancy. Plaintiff requests Defendants' documentation.
3. Defendants allege (see answer Par. 10) that all problems with the rental unit were corrected. Detail the day, time and

person correcting the problems in the rental unit for each specific problem alleged in the Complaint.

4. Clarify Second Affirmative Defense in detail as to Plaintiff's alleged "unclean hands and/or bad faith."?

5. In Defendants' Tenth Affirmative Defense name the other party or parties causing Plaintiff's damage?

6. In Defendants' Twelfth Affirmative Defense detail and produce the alleged "release and/or an accord and satisfaction."?

7. In Defendants' Thirteenth Affirmative Defense state the correct and appropriate parties to this litigation?

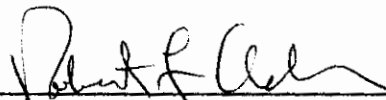
8. In Defendants' Fourteenth Affirmative Defense clarity why the certificate of service for the Complaint was allegedly improper?

9. In Defendants' Eighteenth Affirmative Defense specify the "negligence" attributable to the Plaintiff?

10. Under Defendants' COUNT I-BREACH OF CONTRACT Pars 1-6 produce the lease or contract allegedly agreed to by Plaintiff?

11. Plaintiff requests that the Court pursuant to FRCP 12(f) strike all of Defendants' alleged defenses as are insufficient, redundant and/or immaterial.

Pursuant to MRCP 12(e) Defendants have ten (10) days to respond in writing to the above motion for more definite statements.

 Dated 7/19/05
Robert F. Urbano Pro Se
PO Box 164 Rockport MA 01966
978-526-1519

CERTIFICATE OF SERVICE

Plaintiff hereby certifies that on 7/19/05 a true copy of the within motion was served on Defendant Aqua Investments LLC's Attorney Todd J. Bennett, Esq. at 404 Main St, Suite One Wilmington MA 01887.

